

Thank you, Mr. Speaker.

□ 2045

# HISTORY OF ISRAEL-PALESTINIAN CONFLICT

The SPEAKER pro tempore (Mr. ELLISON). Under the Speaker's announced policy of January 6, 2009, the gentleman from New York (Mr. WEINER) is recognized for 60 minutes as the designee of the majority leader.

Mr. WEINER. Mr. Speaker and my colleagues, we are now into our 19th day of the war of defense on the part of the Israelis in the territory called the Gaza Strip, and there has been enormous amount of coverage in this 24-hour news environment that we are in. And yet there has been a great many questions that have been raised about the origin of this conflict, how it might end, and whether or not it is indeed necessary at all.

And the simple information that—to allow the public to understand this is that for the course of years, we have had a circumstance where residents in one small corner abutting the Nation of Israel—not part of Israel, not occupied by Israel, but the Gaza Strip—has been lobbying missiles, rockets, day-by-day, hour-by-hour, into their neighbors' territory killing people, injuring people, and terrorizing people. And it's gone on for a very long time.

Despite the notion that sometimes we pay attention to these circumstances, only every so often for the residents of small communities who have been the recipients of these rockets, this has been a terrorizing period of years. In fact, there have been thousands of rockets that have gone from the Gaza Strip and fallen in Israel over the course of the last several years.

Now, just so it's completely clear, the Gaza Strip is not occupied territory by any definition any more. The Israeli Government unilaterally decided after efforts had broken down to negotiate some type of a two-state solution, the Israeli Government and Israeli citizens said, "You know what? We don't want to be in Gaza at all any more. We're leaving. We don't want to be in West Bank at all any more. We're leaving," and let the Palestinians in the territories essentially with what they wanted.

It wasn't the perfect outcome. It wasn't the outcome that the Israelis really wanted going in, and it was, frankly, probably an imperfect solution. But since that time in 2005, the territories have been under the control of the Palestinian people.

Now, the Palestinian people have made some decisions under a democracy that was remarkably well set up, and despite all of the concerns, the Palestinians have indeed made their choice about what they want. And what they did is they chose to have Hamas represent them in the Gaza Strip, and they chose to have Fatah represent them in the West Bank.

Well, in some ways, we now have the outcome that was almost preordained by that choice. Hamas, you see, is an organization that is not dedicated to improving the lives of Palestinians, is not dedicated to a two-state solution. They are dedicated to the destruction of Israel. And to many degrees, when they were elected as representatives of the people via a relatively free election in Gaza, they campaigned on a platform of saying, "You know what we're going to do? We're going to be a constant, violent thorn in the side of our neighbors in Israel."

And to some degree, what they did is exactly what they said they would do. Almost as soon as they got into office, they began using Gaza to launch weapons into their neighbors' backyard.

Now, throughout this entire time, you might believe that, well, if the Israelis or if any country—heck, let's make it the United States. If we had even one rocket fall from Canada, or if we had one rocket fall from Mexico, or if the residents of New Jersey had one rocket fall from New York—even one—it would be reasonable to expect that the recipients of that violence would react. Actually that hasn't happened.

Now, I shouldn't say there has been no reaction. There has been some outcry on the part of the Israeli people. The Israelis have gone to the United Nations and asked for help and asked for relief. The Israelis have pleaded to the Arab world—and this map shows some of the neighbors here. Says, "See what you can do to help us with this problem?"

And this is not a fabrication. In fact, this is the pile of shrapnel of the rockets that had landed, the Katyusha rockets just in one town of Sderot. This is not something that's the subject of overblown rhetoric. You can actually see these landing and see, unfortunately, the havoc that they have brought with them.

So the question then becomes what does a country do?

Well, first thing that Israel did was they made their best efforts to get Hamas to stop in nonviolent ways. But that didn't bear much fruit. Then they tried appealing to the international community to rally around Fatah, who is the—who occupies and controls the West Bank. That didn't seem to work. And finally, over the course of time, it got worse and worse and worse.

For all of the discussion about whether or not Israel has overreacted to the attacks—this is a graphic visualization of attacks by Hamas before the war. This number here in 2008, this is before the war began. Look at this. Starting in 2005—I guess it was October of 2005—and Congressman BERKLEY, and she knows these facts better than I, October of 2005, elections happened, internationally supervised elections, and the Palestinians in Gaza choose Hamas to be their representatives.

For anyone to say after that moment that much is a surprise would be wrong. Hamas campaigned on a reign

of violence against Israel, and to their credit, if that's the word for it, they carried it out.

You can see from this 946 rockets fell on Israel; 783 rockets fell on Israel in 2007. And this is the number—and I want to point this out. This has nothing to do with what might have happened recently. This is what happened in 2008. Even considering the fact that for a good portion of this 2008 there was a cease-fire that Israel agreed to engage in and Hamas agreed to engage in, and of course that was broken by Hamas when they started dropping rockets again.

So I guess the question then becomes—and I ask any critics of Israel how they would answer this question—What do you do when it's your job to protect your citizens? It's the ultimate authority of any government is to protect its citizens from violence. What do you do when this type of violence takes place?

But the question goes beyond whether or not Israel is within its right to defend itself. I think that's almost beyond dispute. But it does go to the responsibility of the other nations in that area.

Now, many people have asked how could it be that this tiny piece of land in Gaza, how could it be that they could even have thousands upon thousands of rockets to launch anywhere? Well, the answer lies in its neighbor, Egypt.

Egypt, through this very tiny passageway through the Sinai Desert, has permitted tunnels to be dug for thousands upon thousands of rockets to be brought in to the Gaza Strip.

Egypt, the second largest recipient of our tax dollars in foreign aid. Only Israel gets more; it's about the same amount. Since the Camp David Accords, we, the taxpayers of the United States, have about \$3 billion a year in aid going to Egypt. Egypt is the place that many of these weapons are coming from into Gaza. Largely speaking, the area along the western border is Egypt's control and Egypt's supervision.

Then you've got to ask, well, what is Jordan doing? Many people have said, "Well, why is it that the West Bank exists? Why isn't it part of Jordan's control? Who are the refugees refugees from?" Well, you go back historically, where they came from is Jordan. And Jordan has said, "We don't want them."

For all of this talk about the new Arab World and all of the protests about who it is that should help out with the Palestinian problem, right now the only reason that they're the Israeli's responsibility is because Jordan has said, "We don't want any part of these people."

And where is it that Hamas is headquartered? Why is it that we read reports today that the citizens of Gaza are saying, "We're okay. We would like to try to figure out a way to resolve this peacefully"? Well, the problem is

Hamas leaders are in Damascus. They are nowhere near the action. Because Syria, just as they did in the War of the Rockets in 2006, provide harbor for the Lebanese attackers—for the Hezbollah attackers in Israel, Hamas has its leadership in Damascus; and they're saying, "Go ahead. Blow up more Palestinian homes. Blow up more of the Palestinian territories."

So then you've got Saudi Arabia. Well, Saudi Arabia is even worse than perhaps the other ones because what they're doing is pumping out more and more and more money for the terrorists at both sides of Israel. They want to continue the conflict as long as they can. Why? Well, if you were Saudi Arabia and you were the royal family and you had denied your citizens rights and you were like a monarchy constantly teetering on your point, you'd want any distraction possible. So they continued to fund the homicide bombers; they continued to fund the terrorists.

So when you hear the protests from the Arab League, when you hear the protests from our feckless friends at the United Nations, the question should be, "Why aren't you helping in some constructive way?"

Israel has, over the course of time and time and again going back all the way to 1947 where Israel agreed to the United Nations' original partition plan, said, "We'll take half this amount of land so long as we can live in peace." The Arabs said, "No."

The Wye River Accord. The Palestinians said no, the Israelis said yes.

All throughout the history of Israel, it has been Israel saying, "We will do anything necessary to allow us to live in peace."

And the very reason that rockets are falling now on their citizens is because they said, "We're going to give the West Bank, give the Gaza to the Palestinians. You govern it as you see fit." How have they seen fit? They've given aid and comfort to an organization that every day is making war against Israel.

Now there's one other thing that's come up—and it is indeed a horrible tragedy—that there are innocent victims in this. If you are a child going to school, whether it be in Ramallah, whether it be in Gaza, whether it be in Sderot, whether it be in Tel Aviv, whether it be in Minneapolis, or Brooklyn, if you're a child, you've done nothing wrong; you don't deserve to be a victim of anything. You hold no political views. You are a victim.

But in this case the question has to be asked, Who are you a victim of? If you are living in Gaza and Hamas is launching weapons from the back of a school, if they're launching weapons from someone's apartment building, if they're launching weapons from a public park and Israel responds, and unfortunately innocents get harmed, who was it that injured them?

And I would argue, ladies and gentlemen, that what you've seen here is a systematic effort by those that are

launching these rockets to take harbor in people's homes, in schools, and in places like that. They've essentially created a whole country of human shields.

So then we return to the question, What is a country to do? What is Israel to do in this circumstance? And I think most of us would say, who think about the idea of our neighbors launching weapons upon us, that you've got to stop them at some point. You've got to say enough is enough.

Now, looking at it historically—and this may sound almost ironic—the solution to the conflict in the Middle East is remarkably easy. At the end of the day, there are some thorny historical issues, but Israel has said, "If it's about land, we will give you the land that you desire." And at Camp David II that led to the second Intifada, it began because Israel said "yes" to 98 percent of what the Palestinians had asked for at the negotiating table.

□ 2100

If it's about who controls Jerusalem, if it's about the borders and where in Gaza to provide checkpoints, none of these things have the Israelis said they're not prepared to discuss, even though some of us from afar feel very strongly that the eternal, undivided, historic capital is Jerusalem. And I think that an argument can be made that only Israel has shown that they really do care about protecting that capital. And it does have a historic place in Jewish life that simply does not hold in Muslim life.

But all of that being said, every one of these issues can be discussed and compromised on, provided Israel's neighbors say we're going to stop trying to blow you up. Even the Government of Israel has said even things like the Golan Heights along the border of Syria—and Syria, by the way, is our single greatest problem remaining in Iraq. These are not friends of the United States. Saudi Arabia is the country that funded Osama bin Laden. Syria is the one who has created a refugee crisis in Iraq and has allowed fighters to come in and kill our citizens. In Lebanon, a country that if it were left to its own devices could have a very bright future ahead just as it had a bright past so long as it's not occupied by Hezbollah. Egypt, which entered into peace with Israel, and despite all of its shortcomings there is a peace treaty that exists today. So why is it this doesn't happen? And that needs to be the question that American citizens ask as they watch the reports, why is it that you have a situation where you have people bombing day after day?

Now, I think that the plight of the Palestinians is a tragedy, but they have become international pawns of these Arab states that seek the destruction of Israel. If the sentence becomes, "Hamas agrees Israel has a right to exist side by side and in peace with the West Bank and with Gaza as

neighbors as part of a Palestinian state," if that becomes the predicate for a discussion, there can be peace by the end of this year. There are deals to be done; I know it because Israel has offered them. But when you have a situation that the moment you have any kind of a democracy, the result of the democracy—which, again, began in—the Israelis left the territories here in 2005. This is what a democratic country has decided to do with their democratic freedoms. If you have this, you leave Israel with no choice except to defend herself.

And let me just make one point because a couple of my colleagues are here and I want to yield to them because they've been leaders on this issue as well. You know, who do you get to help with this? Who are you going to call? Well, theoretically you should call the United Nations. The United Nations should be the place that says, you know what? This is just unfair, it's just not right. There is no reason that you should have a pile of missiles at the end of the day piled up at your town hall as it is in Sderot in Israel.

But let's look at the United Nations. The United Nations has passed 15 resolutions against Israel this session. They've done 22 of them that were just one-sided resolutions. The General Assembly has passed 15 resolutions. And since 2006, there have been 22 of them. Just recently, in fact, they passed a resolution calling for a cease-fire in the Gaza conflict. That's fine. That's fine. But it said that Israel should stop its attacks to try to knock out the rockets, but it said nothing about Hamas stopping its attacks. So essentially it said go back to that chart that I just showed you where more and more rockets land.

Now, I have to tell you, it was a bad day for the United Nations, but I'll be very frank, it was a bad day for the United States as well, because rather than voting no on that resolution, the United States abstained. And I'm a Democrat through and through. President Bush has largely been a very good President for Israel. He's had some weak spots. He provided unseemly amounts of funding for the Saudi Arabians, but by and large has stopped these bad resolutions from passing unanimously like this one does. So it was a bad day for the United States as well.

But it's important to note that while all of this is going on, the United Nations—in my hometown and Congresswoman MALONEY's hometown of New York—has not used its power to try to implore the Arab states in the region to be helpful. Instead, what they've done is resolution after resolution condemning Israel for defending itself.

Now, I welcome a conversation about some other option that Israel has. Maybe it's another few more years of this. Maybe Israel should wait until this gets to 10,000 or 20,000. There has to be a point on this chart where any person would say, okay, that's enough,

you can now respond. Well, I believe after 3,000 rockets landing upon its neighbors, that that point has been reached.

Now, I see a couple of my colleagues here, neither one of them is on their feet. Let me yield to someone who has shown remarkable understanding not only of world events in the Middle East, but all around, someone who has shown true leadership here on a number of issues, including this one, the gentlewoman from New York, Congresswoman MALONEY.

Mrs. MALONEY. I thank my good friend and colleague from the great city and State of New York for yielding to me. And I am pleased to join him in this Special Order expressing our support for Israel.

After 8 years of constant missile fire, Israel had to take action against Hamas. Every nation has the right, and I would say the duty, to defend its citizens from missile fire.

For the last 8 years, more than 10,000 rockets have fallen on Israel's civilian population centers. This reign of terror has killed 28 people and injured more than 700 and traumatized tens of thousands. Any country that remained quiet in the face of such an onslaught would be failing its people and running away from its responsibility to its citizens.

Israel had to act. And when Hamas announced that it was ending the so-called lull and began an active campaign against Israel's population centers, Israel had no choice. I say "so-called" because nearly 400 missiles fell on Israel during that period. Hamas did not allow Israel a single month of peace.

I am proud that on Friday, January 9, as one of our first actions of the 111th Congress, the House of Representatives overwhelmingly voted in favor of a strong resolution that places the blame for the situation in Gaza exactly where it belongs, squarely on the shoulders of Hamas. Our resolution makes clear that Israel has a right to defend itself and that the path to peace in the region lies in the recognition of Israel's right to exist, the dismantling of Hamas's terrorist infrastructure, and the release of Gilad Shalit. I want to congratulate Speaker PELOSI, the author of our resolution, for having the courage to put before Congress such a clear statement of support.

In 2005, Israel withdrew entirely from the Gaza Strip; Israel gave the land back to the Palestinian Authority. Instead of using the opportunity, Hamas has squandered its resources, preferring to spend capital on developing weapons and smuggling tunnels rather than investing in the country and its economic future.

Rocket and mortar attacks on Israel increased by 500 percent after Israel withdrew completely from the Gaza Strip. The world sat silent as those missiles fell. There was no U.N. resolution condemning Hamas, not even after Hamas repeatedly violated the cease-

fire. There were no international conferences to discuss what to do about the flight of the Israeli families. There was no call to defend Israeli children caught in the missiles' path. There were no human rights organizations worrying about the growing signs of post traumatic stress syndrome among the residents of Israel's south. The silence was thundering. In the meantime, Hamas smuggled even more powerful weapons into Gaza.

The number of Israelis who live under threat has grown as the range and strength of the missiles has improved. In recent days, Hamas missiles have hit a kindergarten in Ashdod and a high school in Beersheba. Both were empty at the time, but the loss of life could have been devastating.

Nearly one million Israelis now listen for the sirens signaling a red alert. They have 15 seconds—about as much time as it takes me to utter this sentence—to reach shelter. Hamas has always targeted civilians, preferring to kill women and children instead of trying to take out military targets. At the same time, Hamas violates international law by using its own civilian population as human shields, knowing that it wins the PR war as the body counts rise. By contrast, Israel builds shelters and early warning systems to try to protect its citizens.

Hamas is displaying the irresponsible acts of madmen and cowards, not rulers who can hope to lead a nation. The United States will not accept a return to a situation in which Israelis are living with daily missile fire. I hope the international community will join us in taking a strong stand against the actions of Hamas.

I would like to yield back to my distinguished colleague and thank him for coming before us tonight with such a thoughtful presentation.

Mr. WEINER. Well, I thank the gentlelady for her leadership. It is a voice that has been loud and clear in support of Israel over the years. And it is one that, who knows, might be loud and clear in the other body at some point in the future.

I would like to yield now to my colleague from Nevada, SHELLEY BERKLEY, who has, from the moment when we were elected together and began service in 1999, has been a spokesperson for justice, not just in the Middle East, but again, throughout the world. And there is a notion that sometimes you come to Washington and kind of the waters of the town wash over you and take off your edge a little bit. You, Congresswoman BERKLEY, have been someone who has kept your edge when it came to fighting for what you believed was right, and it is my honor to yield to you such time as you might consume.

Mrs. MALONEY. Would the gentleman just yield 30 seconds to me?

Mr. WEINER. Certainly.

Mrs. MALONEY. I would just like to be associated with your comments about my good friend, SHELLEY BERKLEY, and to note that I have had the

honor of traveling with her to Israel to study the historic sites and meet with the leadership about these many pressing issues. She has held many meetings in her home to discuss the issues in depth, not only here in Congress, but in her home with concerned citizens. So I congratulate her for her continued leadership.

Mr. WEINER. I couldn't agree more, and I yield to the gentlelady.

Ms. BERKLEY. Thank you very much, Congressman WEINER. And let me return the compliment, Congresswoman MALONEY; we appreciate so much your strong and vocal support for issues that I consider to be fundamental to the survival of democracy throughout the world, so thank you very much.

Mrs. MALONEY. So eloquently stated. Thank you.

Ms. BERKLEY. Mr. WEINER, coming from you that I haven't lost my edge is the ultimate compliment for me after 10 years in Washington, so I thank you very much for that.

About three Augusts ago, a little over that, 3½ years ago, I was part of a congressional delegation that was on the border between the Gaza and Israel as the Israeli military was removing the last Israeli settlers from the Gaza. As you can imagine, Congressman, it was a very painful thing to watch, seeing families being torn apart, taken away from the lands that they had settled, where nothing had existed before they created their settlements, being taken from their neighbors and the villages that they created, truly oases in the desert, was hurtful. But I understood why the Israelis did it. They unilaterally withdrew from the Gaza with the hope that turning that land back to the Palestinians would have the desired effect of bringing peace to that area.

Rather than the peace that the Israelis had hoped for, the Palestinians, particularly when Hamas took over, became not an area where one would build schools and homes and infrastructure and demonstrate to the world that the Palestinian people were able to create a state of their own, rather than demonstrating to the world that they were capable of self-governance, quite the opposite became the very harsh reality. And what you saw, instead of schools being built and neighborhoods flourishing and businesses being built and infrastructure, hospitals, basic services for the Palestinian people, what happened instead was that the Gaza became a launch pad for a reign of terror upon the Israeli people that lived on the other side of the border.

□ 2115

Rather than reaching out to the Israeli people in an attempt to forge a peaceful relationship between the two peoples, the Gaza has become a hellhole. It's become a hellhole for the Palestinian people, and it is a hellhole for the people of Israel because they

are continually barraged by rockets well within the Israeli border.

How many rockets are we talking about? You demonstrated it with your graph. We're talking 2 rockets, 10 rockets, a misfiring? We're talking about 7,000 rockets in the course of a few years. Who can exist, what peoples, what Nation would tolerate that type of continuous assault on their innocent population? There is not one country on the planet that would not respond. And yet with all the panic and the fear and the damage, the psychological damage, and the physical injuries and damage and the death that these rockets have caused, the Israeli people did not, did not, attack back. But at some point any government worth its weight in salt must defend its people, and that is exactly what Israel has done.

Let me share a story with you, Mr. WEINER. A few years ago, I was talking to one of the Middle East ambassadors. And I said to him, Is there no way for you and your government to intervene and tell Hamas, ask Hamas, demand Hamas to stop launching Qassam rockets against the Israeli people?

And his response to me incredibly, when he shrugged his shoulders, it was, Well, the Qassam rockets are very inaccurate.

And I responded to the ambassador, They may be inaccurate unless one falls on your head, and then it's very accurate. It's deadly accurate.

But he shrugged and he said, Well, it's no big deal.

Well, it's a big deal if you're an Israeli and your child was just killed in their school by a Qassam rocket being launched by Hamas from the Gaza. This simply must stop.

But I went further, and I once spoke with the Egyptian ambassador. And I said to him, Mr. Ambassador, is there no way for you and the Egyptian Government to find those tunnels and blow them up so that the flow of arms being supplied mostly by Iran will stop, will cease the flow so that Hamas will not have a ready supply of rockets to be using against the Israeli people?

And again I got another shrug: We don't know where they are. We can't identify them.

I said, The Israelis gave you a list. They know exactly where the tunnels are. You can't blow up those tunnels and prevent the death of innocent Israeli children?

I got no response.

Where was the outrage of the United Nations? Where was the outrage of the people throughout the world that are rioting now in their countries when Israeli children were being killed by Hamas' continuing barrage of rockets? Not a one that I can remember. Not one that I've seen on TV. Not one speech in the United Nations. Not one moment of outrage. It was Israeli children that were being killed and a very patient Israeli Government trying to use every diplomatic tool at their disposal before they had to go in. They did not want to do this. They would not

have unilaterally left the Gaza to go back in. It is not something the Israeli Government wanted to do.

When Hamas refused to renew the truce in the middle of December at a time that we're celebrating religious holidays throughout the world, I knew that we were in for an increase in the carnage being rained on Israel, and I'm sorry to say I was right. The Israelis, like any other sovereign nation, have a right to defend their people and protect the people of their country. Israel should not be held to a higher standard, although they hold themselves often enough to a far higher standard.

The Israelis have made two requests of Hamas. These are the two requests: They want an end to the rocket attacks. I don't think that's an unreasonable request. And they want an end to the tunnels, blow up those tunnels to prevent the rearming of a terrorist organization that has a vice grip on the Palestinian people in the Gaza. Which one of those two demands is inappropriate? Which one is unreasonable? I would submit to you, Mr. WEINER, neither one.

And for those that are talking about Israel's disproportionate response to 7,000 rockets, to death, to injury, to damage, how about holding the Palestinians to any standard, any measurable civilized standard, and put pressure on Hamas to stop launching those rockets into Israel? And after all of the last 2 weeks, after the pain on both sides, after the horror being perpetrated by Hamas on both the Israelis and their own people, Hamas is still launching rockets into Israel.

Well, let me say if they might be listening today, this evening as we speak, we can end this thing. We can bring peace. There can be a long-lasting truce if Hamas stops the rocket attacks and if the tunnels are eliminated. And that is what this body, the United Nations, and everyone throughout the planet, throughout this world, ought to be demanding of Hamas.

The human tragedy in the Gaza, the suffering of the Palestinian people, let us put it squarely where it belongs: not on the State of Israel, not on the Israeli people. It rests squarely on the shoulders of the Palestinian leadership. If the Palestinian leadership wanted a Palestinian State, they would have had one years ago. What Hamas is doing is not for the creation of a Palestinian State. It is for the destruction of the State of Israel. And it pains me to say this, Mr. WEINER, but if Israel ceased to exist tomorrow, the plight of the Palestinians would be no better than it is today. The suffering of the Palestinians would not magically go away. It is the Palestinian leadership, the leadership in Hamas, that has caused so much pain and suffering for the Palestinian people.

It would be my heartfelt hope with the beginning of a new year and the beginning of a new administration in this country that we can truly bring peace to the Middle East. It's something that

I grew up fighting for and caring about. But this cannot stop until the Israelis are secure in their tiny country and free from a constant barrage of rockets and terrorist attacks by a terrorist organization on their border.

And I thank you so much for giving me these few minutes to share my thoughts with you. You are truly an amazing leader, not only in Congress and representing your own district and State so well, but you make me very proud to be associated with you on these issues and so many more. And I thank you for all of that.

Mr. WEINER. I thank you as well, and it's all well put.

One of the things, Congresswoman BERKLEY, that people have said is, well, maybe if Israel takes a deep breath and they pull back and maybe stop the assault against these terrorists, maybe that would be the correct approach. Well, you know that from June until I guess it was the 19th of December, the Israelis did just that. They observed essentially a cease-fire with Hamas. And what happened? Well, they noticed something unusual. They knew that weapons like this, Qassams and Katyusha rockets, which have a range of about 12 to 13 to 15 miles, during the course of that cease-fire, Hamas was getting a new type of weapon. They were getting it from Iran, the Grad missile, which is more like 20 miles. Now, it's a little hard for us to get into context here in a tiny country the size of Israel. You're talking about your enemy having a reach of about a quarter to about a third of your whole country, maybe even more than that. And it's worth noting that you concluded on an appropriate point to talk about what is it that we can do to truly be helpful to the Palestinians here?

No one, I think, can reasonably argue that Gaza's being under control of Hamas has been a good thing for the Palestinians. It has gone from a community that had about 750 trucks of import and export coming through the borders every single day. They were trying to make a go of it under difficult circumstances. Now none of that goes on because Hamas, instead of trying to build up international commerce, instead of trying to make a country of it, they've chosen to import guerrillas from places like Iran to help train their military. They chose to devote much of their effort to producing things like this, which are just articles of death, rather than trying to figure out a way to make an economy work. So, frankly, it is not as if Hamas can say, well, we've achieved a better quality of life for our citizens, that we've fought with a sword against Israel but at least we have been trying to build up a government.

You know the tragedy is that the Palestinians have had a choice between corrupt and violent. That's really the only two choices they have had. They have got a government in the West Bank, the government in the West Bank here that's controlled by Fatah,

which suddenly seems great except for the fact that they're completely corrupt and incompetent; and then you have a government of Hamas, which is governed by terrorists.

But as we think about what the solutions might be, and I think ultimately it will have to be that the Israelis have to stop. When they're going to have to stop, though, is when they've gotten every rocket, when they've blown up every tunnel to Egypt, and ultimately they can go back to their side of the border and hope and pray that the Palestinian people come to their senses and say we don't want this anymore. We saw that start to happen in Iraq after a while. They said, why are we making our country just the battleground for terrorists? But they're going to need help. We're helping a great deal. As you know, much to my chagrin, hundreds of millions of dollars of international aid has come into the territories hoping that maybe if we put enough money on the barrel head, then the Palestinian people would live in peace with their neighbors. Unfortunately, it hasn't worked. They need help from other places.

Well, we need help from Egypt starting immediately to say we're not going to allow these tunnels to exist anymore. Now, I don't believe we should sit back and hope for help. I believe we should leverage our substantial foreign aid to say, look, you're an ally of the United States in the broad sense. We provide you billions of dollars in aid. We're going to suspend that for a little while until you show that you get these under control.

I will gladly yield.

Ms. BERKLEY. As you know, we have attempted on numerous occasions to take the military aid, the \$2 billion in military aid that we give the Egyptians every year, and take some of that away so that it would be humanitarian aid for the Egyptian people because I can't help but wonder what are the Egyptians doing with \$2 billion worth of arms every single year?

Mr. WEINER. I agree. And looking at it another way, Mubarak, his thorn in his side is the Muslim Brotherhood. They're kissing cousins with Hamas. It's in Egypt's interest as well.

Ms. BERKLEY. It's in Egypt's best interest. Absolutely right.

Mr. WEINER. Now, obviously we know what we can do with Saudi Arabia. We treat Saudi Arabia as if they're an ally. We provide them with foreign aid as well. Even more, we are about to send them the most sophisticated weapons around. Now, I don't know who it is they think they are defending themselves from. Maybe it's the giant army of Jordan perhaps. But that's a mistake we're making. And our own State Department has confirmed over and over again money going to the terrorists. They're a virtual Jerry Lewis telethon, sometimes literally, for funding of terrorists. So we in the United States should say to Saudi Arabia, you know, when the Crown Prince comes to

Crawford, Texas, and takes our President by the hand and then does nothing to help with this matter, I said President Bush has been a good President for Israel.

□ 2130

He has had a blind spot when it comes to the Saudis. Syria, look, let's face the facts here. Syria has become a matrix of problems, second only to Iran, which is just off of the corner of this map. You know, if you consider how troublesome they have been in Iraq, how troublesome they have been in Lebanon, how troublesome they have been, if it weren't for Israel taking back the Golan Heights they would still be lobbing missiles in from there as well.

Well, so the question has to be what does Syria want for itself? I remember when the younger Assad, when Bashir Assad came in, everybody said he would be much better.

Ms. BERKLEY. Western educated.

Mr. WEINER. He went to the Sorbonne; he is a pediatrician or ophthalmologist.

Ms. BERKLEY. Ophthalmologist.

Mr. WEINER. Whatever it is, his mother must be very proud.

But as it turned out, they have essentially outsourced to any terrorist function that wants to go. Secretary of State designee CLINTON, President-elect Obama, you know, if you want to look for your trouble spots, Saudi Arabia and Syria are turning out to be your next big problem spots, but Jordan bears a responsibility as well.

But Jordan has been as close as there is to a moderate in that part of the world. They have been it. But if you look at the West Bank, and you look at the allegations about refugees, this used to be Jordan. If Jordan really cared about solving this problem, they will be doing some things that are more constructive.

But I have got to tell you if they were all as good as Jordan, I think we would probably take it. The problem is that we are surrounded by people who seem to think that it is in their interest to keep the violence going on in the territories, and I think that that has to change.

I am not sure if my colleague from New Jersey is here for this Special Order, because he has been a remarkable leader on the issues. This is truly a bipartisan issue.

We recently had a resolution on the floor condemning Gaza and standing up in support of Israel. As it always is, we disagree on many things in this body, but I think that we have all agreed, and I have said previously, I think some Presidents of my party, like Jimmy Carter, have been a disaster for Israel. I think some Republican Presidents, Ronald Reagan, George Bush, have been very good.

This is not a partisan issue. This is an issue of right and wrong.

Ms. BERKLEY. I want to thank the Congressman again for allowing me to participate.

Mr. WEINER. I thank the gentlelady. I yield to the gentleman from New Jersey.

Mr. GARRETT of New Jersey. I thank the gentleman for leading this Special Order hour on this topic. And I was just being enlightened, honestly, by the comments and your wealth of knowledge on the issues.

So I appreciate the chance just to spend a couple of minutes with you and a chance to talk about this topic. Today is Wednesday. Just this past Sunday I was back in my district, which is in the great State of New Jersey, and there I was honored to take part in a solidarity evening, a rally, if you will, for Israel, held in the Fifth District in the State of New Jersey. I would like to just spend a minute or two to share with you what was discussed and why I was there.

Our allies in Israel, obviously, are going through a tremendous crisis at this period of time. That's why I was so encouraged that we had well over 1,000 people in the room, maybe even more. Besides the room we were in, I was told, there was another assembly area where it was on TV as well. All of these people across the region came together in solidarity for both the victims' families over there, as well as for the victims who have lost their lives in this recent conflict.

The loss of life in this region is truly profound. As you know, when we have been on this floor on this issue, we are both tremendous advocates for the State of Israel, one of our key allies, our only allies in the region over there.

As you say, it was last year that we were on the floor as well, on a particular resolution, I was sponsor of it, you were cosponsor of it as well, and there was a resolution at the time when the mortar attacks were picking up on the people in Sderot. There was a time that we passed that resolution overwhelmingly saying that the United States stood on the side of Israel and stood on the side of people of Sderot and the right to defend themselves.

Unfortunately, the sentiments of that resolution were obviously ignored by Hamas. Instead, the number of rockets, instead of decreasing, increased it dramatically, the number of mortar attacks launched now from Gaza in the month of December. In the period of time just prior to that, Hamas, I think you were going into this a little earlier ago, their capacity to attack and bring violence on Israel has increased dramatically with the range, I saw the pictures you had up there before, of the mortars and rockets increasing from 20 kilometers to over 50 kilometers, I believe it is. Basically, if you add all the numbers up on the map there, it means that over 1 million Israelis and their lives, their families, their children, are now at risk of mortar attack.

Even worse than that, Hamas' actions, I think, exhibit total disregard for innocent human life. Israeli civilians continue to be targets of those defensive actions. In addition, it's really

a shameful use of Palestinians' innocent life as well because they are being used as human shields and it creates unnecessary victims of terror.

This is a flagrant disregard of international human rights. It's a flagrant disregard for the rights of the innocent people, Gaza and Israeli residents as well.

If Hamas really did care about the citizens they purport to represent, they should really cease all military activity, all military activities against Israel right now and look to international forces to achieve peace.

So I have been pleased to be here in Congress and that Congress has not ignored the Israelis' plight, as you indicated just about 2 minutes ago, that we have had this resolution, they have worked on jointly on this to step up to the plate, and that is H.R. 34.

Just to conclude, I commended President-elect Obama recently for expressing similar concerns that you and I are expressing right now, specifically for the people of Sderot. He did that just over a short period of time about a year ago when he visited Sderot last year.

I think you and I join now in urging him to continue that effort to speak out, encourage him to demonstrate that unwavering support that you and I have for the people of Israel as a struggle against Hamas.

I think if he takes a stand now on the Gaza issue as he did a year ago, as soon as possible, to eliminate any ambiguity concerning the resolve that the United States has to aid Israel, the President-elect really has an opportunity to strengthen our Nation's diplomatic hand and call for an end to the destruction of innocent lives. I urge him, as I am sure you do as well, to take that step immediately.

But as I close here I try to remain the optimist. Despite all of the current challenges, I still believe that there is a potential for further progress.

Israel has shown a willingness to pursue peace. Now if only the Palestinian Authority and the Arab governments make equal steps forward, we can achieve that lasting peace.

Finally, now, Israel left Gaza a short time ago in the hopes of peace. Israel returned to Gaza to fight terrorism and hopefully they will now achieve that peace.

I, again, commend the gentleman.

Mr. WEINER. Well, I thank the gentleman. Very well put. I appreciate your leadership on this. I should point out whenever I come to the floor, whether it be to make sense of our foreign policy as it relates to Saudi Arabia, you have been always been there trying to problem solve, trying to figure out the way we can use a lever.

Before I yield to my friend from Iowa, you know, very often when we look at these stories on television, my neighbors say, well, why is it our problem? Why is it a United States problem? Why do we really care? It's far away.

If you think about what's going on here, and I haven't pointed this out yet today, and, frankly, we all take it as an article of faith, we don't even think about it very much, there is really only one democracy on this map here. There is one democracy really fighting totalitarian regimes and terrorist exports, really, on behalf of all of us.

I ask you to imagine this scenario. Imagine if this wasn't Hamas, but it was al Qaeda. If we knew this little piece of land here was controlled by al Qaeda we would say, of course, you have got to be in a well—well, Hamas is an adjunct of the same type of influence.

Frankly, Israel is the only country, not only in this part of the world, but you can make a pretty good argument anywhere that is truly every day dealing with the ravages of terrorism.

We were struck on that fateful day when my city was struck on September 11, 2001. But if you think about it, if every single day, if Iowa or New Jersey or if New York were getting hit with rockets, do you think, really, anyone would say, oh, that was a close call, let's go back to work now, or anyone would say, oh, it was just a child that was harmed or, oh, it was just a school that was hit, big deal, let's just go back to work. It would never happen.

My colleague, the gentleman from Iowa, understands these issues very well. Once again, this is a bipartisan effort, and I would be glad to yield to him.

Mr. KING of Iowa. I thank the gentleman from New York for organizing this Special Order. Even though I have 60 minutes subsequent to this, I appreciate the yield because I would like to say a few words into the RECORD as part of this Special Order.

This support of Israel goes back deep with me. The 1967 war was the year I graduated from high school. I came of age as Israel defended its freedom that they had achieved in 1948. My life has almost transcended, I am going to go through the sequential order—I was born in 1949, Israel was born in 1948.

As I have watched this, as I have watched the courageous defense against enemies that surrounded Israel for all of these years, and I have watched the policies a little bit within Israel itself, it occurs to me that I have trouble finding a historical example where land was traded successfully for peace. I honor the effort that they have made, and I certainly honor and support and will continue to support Israel's effort to defend themselves.

As you have illustrated, rockets firing in from a few miles away, New Jersey into New York, for example, we would not tolerate that. We wouldn't tolerate the second rocket. We wouldn't tolerate the first one. This is thousands of rockets.

So without belaboring the point, I support and endorse the statements that were made in this hour, and I support the resolution, obviously. I will continue to do so and will stand in soli-

darity across the aisle to stand for freedom. I would submit also that the only place I can see on that map where an Arab can go to get a fair trial would be Israel.

Mr. WEINER. I thank the gentleman very much for his continued leadership.

Let me conclude with just a couple of brief thoughts. You know, some of us have turned on the television in recent days and seen that there has been a change in tactics on the part of the Israelis. They are no longer going over with planes or sending rockets themselves to try to hit these targets. But they have actually gone in with troops and are going almost literally home by home trying to find the last of these rockets.

Well, when people say the Israelis should use restraint, I ask you, how many militaries would do that, because that is the ultimate sign of restraint.

They are sending in their troops to do as surgical a job as possible to try to exact from the population whatever rockets are still there. They are in people's basements, they are in the back of schools, they are in supermarkets, and Israel more so than I think any nation maybe in the history of the planet, has always essentially taken one, two, three, 10 body blows before they react.

They do something that I don't think that anyone would expect the United States would do, and I don't think they do anything that any country has ever done. Every single time that they are attacked, they wait, they calibrate. They very often consult with the United States and they try to figure out how do we prevent this from escalating.

Whenever there is an opportunity to negotiate, it is the Israelis that say yes. And it is the Palestinians, with the support of these neighbors in the region, that say no.

It has to end. It has to end. If you really want to end this cycle, there are some things that we can do. Believe me, I understand there are things that the Israelis have to do. And, to their credit, they have said time and time again they are prepared to do it.

One final historical note, you know, the defense minister, Ehud Barak, has been quarterbacking this defensive effort. By the way, for anyone who follows this, he was very, very reluctant to strike back militarily.

Ehud Barak was, in a past lifetime, he was the prime minister. He was the prime minister, the very same defense minister now who is leading this military effort was the prime minister who essentially said yes to everything that Yasser Arafat asked for at the time, the amount of land and the crossings and the control.

He said yes. He said yes. And what happened? Once he said yes, the intifada began. Ehud said the thank you was not okay. We accept the deal as done. It was violence began again.

So there is no one there that probably wants this to come to a peaceful ending more than the Israelis. They are



tired, they are exhausted. They recognize that they can't be a sustainable country with this kind of circle, this kind of ring, this kind of enemy surrounding them. So the idea that somehow the Israelis are trigger happy and looking for a fight could not be any more wrong.

So there are some things for all of us to do. One of the things to do, as we look at this through the lens, the western lens of why can't we just solve this problem, well, you know what? These are difficult problems, but they are solvable. They are solvable when the weapons are put down, when the rockets are put down. They are solvable when a child in Sderot doesn't have to have a blue room where they run to where they have 15 seconds, as Congresswoman MALONEY said, to get to safety.

We can't have a city like the one that has been referred to a few times here. Let me put this up one final time.

□ 2145

Sderot is this little town here, right by Gaza, that has had hundreds of missiles fall upon them day after day. We can't expect anyone to live like that.

What we can do as United States citizens is say, listen; one, we are going to start talking with our wallets. We are not going to allow any aid to go to Gaza until they change their government there. We can't support a military terrorist organization.

We have to say that we want better accountability here too. We want better accountability from Fattah.

We have to demand that Egypt, in exchange for getting billions of dollars in aid from us, the very least they can do is make sure the tunnels are stopped so if and when there is a cease-fire, and, God willing, it is soon, weapons don't come.

And we have to finally face the reality about places like Saudi Arabia and Syria. They are not our allies. Nothing could be further from the truth. Although we all know it about Syria, we need to recognize it about Saudi Arabia.

Finally, let me just say this. One of the ways we say God bless America is joining with the Israelis when they say Am Yisrael Chai—the people of Israel live.

#### REQUESTING A PARDON OR COMMUTATION OF SENTENCE FOR JOSE COMPEAN AND IGNACIO RAMOS

The SPEAKER pro tempore (Mr. ALTMIRE). Under the Speaker's announced policy of January 6, 2009, the gentleman from Iowa (Mr. KING) is recognized for 60 minutes.

Mr. KING of Iowa. Thank you, Mr. Speaker. I again thank the gentleman from New York for yielding a moment of his time to me.

I change the subject at this point, Mr. Speaker. I asked for this time before this great deliberative body and

this honor and privilege to address you on this subject matter, speaking to you, Mr. Speaker, and understanding that there are eyes and ears across this country, particularly in the White House tonight, who are in the business of cleaning out their desks, going through their files, packaging up many in the archives, some going I presume into the trash or the shredder, and making room for a new administration that comes in.

During this period of time, every 4 years, we will see the President of the United States, the commander-in-chief, the conductor of our foreign policy and the chief law enforcement officer of the United States among other things, all wrapped up into the package of President George W. Bush, following in the footsteps of his predecessors before him and contemplating the right and the power and the authority that he has to pardon those who have been convicted of a crime or to commute their sentences, those who have been convicted of a crime.

If we look back through history, there have been some long lists of people who were pardoned or had their sentences commuted, and sometimes it has been controversial. I won't dredge up some of those controversial pardons, but I will raise the issue that a President has this authority. Sometimes he exercises the authority of the pardon or the commutation out of compassion. Sometimes it is out of a sense of misapplied justice. Sometimes it is just out of a sense of mercy that is coupled with compassion.

But the case that I raise tonight, Mr. Speaker, is the case of Ignacio Ramos and Jose Compean, who are Border Patrol officers, I should say at this point former Border Patrol officers, who were involved in an incident down near the Mexican border that had to do with the interdiction of a drug smuggler from Mexico.

This drug smuggler was an individual by the last name of Aldrete-Davila who was intercepted by agents Ramos and Compean. This was on February 17, 2005, near Fabens, Texas, where they interdicted Osbaldo Aldrete-Davila, who was suspected of smuggling drugs into the United States. It was later found that the van that they chased that Aldrete-Davila abandoned and ran across the countryside contained 743 pounds of marijuana worth approximately \$1 million.

Well, this incident as it unfolded showed that one of the agents chased the drug smuggler, Aldrete-Davila, and the other agent cut across to try to cut him off, presumably to cut him off before he could get into across the border into Mexico. It was Ramos who chased him. Ramos chased him and Compean attempted to interdict him.

In any case, there was an altercation that took place. Both agents discharged their weapons. The discharge from Agent Ramos' weapon was stipulated to be the bullet that hit the drug smuggler. And, as the situation un-

folded, there was a confrontation with Aldrete-Davila and Agent Compean that ended in multiple discharges of Agent Compean's weapon. None of those rounds hit the drug smuggler. He disengaged himself from Compean and ran. As he turned and looked back, Ramos came onto the scene, Agent Ramos came onto the scene and discharged his weapon, as I recall, once.

There was no sign by either agent, any observation that any of those shots actually hit the drug smuggler. That wasn't known until some time later. A family connection, a relation of another agent with the relation of the drug smuggler, passed that information along, in which case there was an investigation that began.

Agents Ramos and Compean admitted that they didn't deliver the complete, full written report for the incident that took place. Recognizing that, the crime that they were charged with originally was a lesser crime than the crime that was brought against them.

But, in any case, after this situation unfolded and Ramos and Compean were arrested and charged, then as agents of the Border Patrol arrested and charged for the incident, around the incident were failure to file a complete, honest and truthful report. There were other agents and supervisors that were purportedly on the scene. It wasn't that the incident was necessarily covered up, but it wasn't appropriately reported.

After the original charges, the lesser charges were filed, the government drastically increased the charges by securing a superseding indictment pursuant to 18 USC 924, which is a statute that outlaws the discharge of a firearm in the commission of a crime of violence. This charge, 18 USC 924, carries with it a 10-year mandatory minimum sentence.

So they were subsequently convicted of discharge of a firearm in the commission of a crime, a statute that was never envisioned to apply to a law enforcement officer who is lawfully carrying a weapon, in fact required to carry a weapon, and who perhaps discharged that weapon in a lawful fashion in carrying out their duty. That is a question that I think the court probably answered in the negative.

But, in any case, this statute, 18 USC 924, the discharge of a firearm in the commission of a crime of violence, was the Federal charge that was brought as a superseding indictment, and it was a heavy charge that was laid on Agents Ramos and Compean, and the conviction that followed from that resulted in the mandatory sentencing that came about which turned out to be 11 years and 1 day for Agent Ramos and 12 years for Agent Compean.

Now, Mr. Speaker, and I implore your attention to this and I pray that the attention of the President is focused on this argument, and that is not that Agents Ramos and Compean are innocent of the charges that have been brought against them by the active